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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

10 JEFFREY S. SEILLER,

11 Plaintiff,

12 v.

13 MICHAEL ASTRUE, Commissioner of  
14 Social Security Administration,

15 Defendant.  
16

CASE NO. C08-5288FDB

ORDER ADOPTING REPORT  
AND RECOMMENDATION  
AFFIRMING ADMINISTRATIVE  
DECISION

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18 The Magistrate Judge recommends that the administrative decision denying Seiller Social Security  
19 benefits be affirmed. Seiller has filed objections.

20 The first issue is whether the ALJ properly evaluated the State Agency Medical Consultants'  
21 opinions. Seiller points to state agency medical consultant Charles Regets, M.D. who stated that Seiller's  
22 "ongoing irritability which will limit his ability to work closely with others." And that Seiller needed a  
23 work setting that "would not be overly stressful." While the Magistrate Judge noted that the ALJ  
24 interpreted the state agency medical consultants' opinions in that Seiller "should limit his interaction with  
25 others," Seiller argues that this is incorrect, that the ALJ only found Seiller was precluded from interacting  
26 with the general public. The ALJ's conclusion, nevertheless, limits Seiller's interactions with others, and  
27 also notes the improvement in his social anxiety symptoms with medication. There is no error in the ALJ's  
28 assessment.


1 Seiller contends that Dr. Redmon's opinion was based on a review of all the records before the ALJ  
2 and is consistent with the record as a whole. The ALJ found that Redmon's opined imitations were not  
3 persuasive being inconsistent with other medical evidence in the record and also because they were largely  
4 based on Seiller's non-credible self-reports. Having duly considered Seiller's argument, this Court  
5 concludes that the ALJ properly resolved the conflicts in the medical record and provided specific reasons  
6 for doing so, just as noted by the Magistrate Judge.

7 As to Dr. Corpolongo, the ALJ properly addressed his evaluation in the context of the entire record  
8 and came to a reasonable conclusion.

9 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge J.  
10 Kelley Arnold, United States Magistrate Judge, and objections to the report and recommendation, if any,  
11 and the remaining record, does hereby find and ORDER:

- 12 (1) The Court adopts the Report and Recommendation;
- 13 (2) The administrative decision is AFFIRMED; and
- 14 (3) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel  
15 and Magistrate Judge J. Kelley Arnold.

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17 DATED this 22<sup>nd</sup> day of January 2009.

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20 FRANKLIN D. BURGESS  
21 UNITED STATES DISTRICT JUDGE  
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